

ORDINANCE NO. 970227-J

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

2.419 ACRE TRACT OF LAND OUT OF THE LUCAS MUNOS SURVEY NO. 55, ABSTRACT NO. 513 IN TRAVIS COUNTY, FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "CS-CO" COMMERCIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED IN THE 9500 BLOCK OF U.S. HIGHWAY 290 EAST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "DR" Development Reserve district to "CS-CO" Commercial Services district-Conditional Overlay combining district on the property (the "Property") described in File C14-96-0148, as follows:

2.419 acre tract of land out of the Lucas Munos Survey No. 55, Abstract No. 513, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as the property located in the 9500 block of U.S. Highway 290 East, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with

all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "CS" base district and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on March 10, 1997.

PASSED AND APPROVED

February 27

, 1997.

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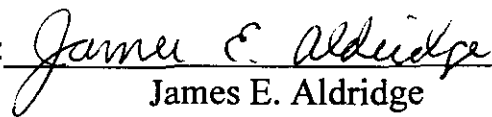
Bruce Todd
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk



EXHIBIT "A"

1003 Jefferson Street
Bastrop, Texas 78602
(512) 343-0962
FAX: (512) 332-0961

LEGAL DESCRIPTION

2.419 ACRES OF LAND OUT OF THE LUCAS MUNOS SURVEY NO. 55, ABSTRACT NO. 513 IN TRAVIS COUNTY, TEXAS AND BEING A CALLED 2.419 ACRE TRACT CONVEYED TO RAYMOND D. RASCHKE AND ELDA R. RASCHKE BY DEED RECORDED IN VOLUME 8757, PAGE 645, TRAVIS COUNTY DEED RECORDS; SAID 2.419 ACRES SURVEYED UNDER THE SUPERVISION OF C. RICHARD RALPH, REGISTERED PROFESSIONAL LAND SURVEYOR DURING JUNE, 1996 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found for the northwest corner hereof, the common north corner of said Raschke tract and a called 1.84 acre tract conveyed to Paul Devooght by deed recorded in Volume 2449, Page 13 of said Deed Records and a point on the south right-of-way line of U. S. Highway No. 290;

THENCE N 86°03'59" E, 320.75 feet along the south line of said U. S. Highway No. 290 to an iron rod set for the northeast corner hereof and the common north corner of said Raschke tract and the remainder portion of a called 4 3/4 acre tract conveyed to Paul H. Klaerner and Helen L. Klaerner by deed recorded in Volume 2646, Page 172 of said Deed Records;

THENCE S 03°58'21" W, 442.36 feet to an iron rod found for the southeast corner hereof, the common south corner of said Raschke and said Klaerner tracts and a point on the north right-of-way line of Manor Road (80' R.O.W.);

THENCE S 68°58'03" W, 198.80 feet along the north line of said Manor Road to an iron pipe found for the southwest corner hereof and the common south corner of said Raschke and said Devooght tracts;

THENCE the following three (3) courses along the common line of said Raschke and said Devooght tracts:

- 1.) N 03°56'18" W, 337.48 feet to an iron pipe found;
- 2.) N 60°59'37" W, 155.96 feet to an iron rod found;
- 3.) N 04°01'21" W, 78.53 feet to the POINT OF BEGINNING, containing 2.419 acres of land, more or less and shown on the survey map prepared herewith.

Surveyed by:

C. Richard Ralph
C. Richard Ralph
Registered Professional Land Surveyor No. 4758



June 28, 1996

Project No. 96312157 - 11/11

HOUSTON

DALLAS

AUSTIN METRO

FILED
96 JUL -9 PM 4:39
DANA DEBEAUVOUR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

CERTIFICATE
I hereby certify that this instrument was FILED on
the date and at the time claimed herein by me, and
was duly RECORDED, in the Volume and Page of the
Deed RECORDS of Travis County, Texas, on

JUL 9 1996



Dana DeBeauvoir
COUNTY CLERK
TRAVIS COUNTY, TEXAS

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

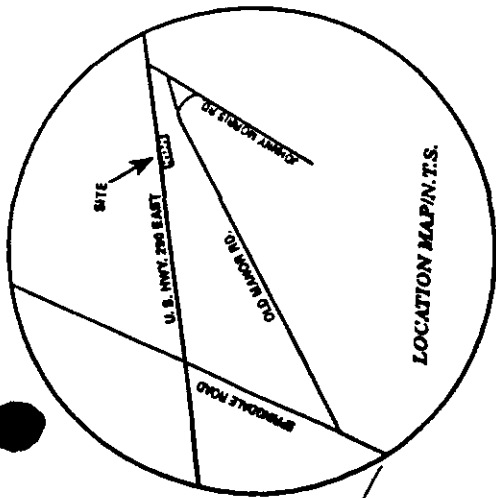


Dana DeBeauvoir, County Clerk
By Deputy: *Dawn Ryczek*

Dawn Ryczek

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12724 0717



COUNTY

RESERVOIR CT
COUNTY
CS
CS
AUTO SALES

FLEA MARKET

U.S. HWY. 290 EAST

DR



CONSTRUCTION & ROOFING COMP.

MH
MH
MH

DR

OLD MANOR RD.

OLD MANOR RD.

OLD MANOR RD.

JOHN W. LORING RD.

316



 1" = 400'		SUBJECT TRACT 	CITY GRID REFERENCE NUMBER P 27
CASE # C14-96-0148 SUBJECT AREA (acres): 2.419 ADDRESS: U. S. HWY. 290 EAST			
PENDING CASE	ZONING BOUNDARY -----		
CASE MGR: CYCLE: 90-11	INTL S. JSR		

EXHIBIT "B"

Austin American-Statesman

PO#: 970227-J
Ad ID#: 3BQE00700
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis, State of Texas, on this day personally appeared:

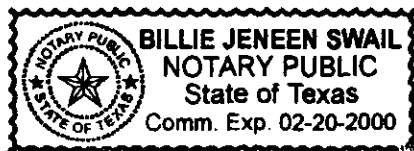
SHARON JANAK

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper published in said County and State that is generally circulated in Travis, Hays, Burnet and Williamson Counties, who being duly sworn by me, states that the attached advertisement was published in said newspaper on the following dates, to wit:

First Published:	3/12/97	Last Published:	3/12/97
Times Published:	1	Classification:	9980
Lines:	19	Cost:	\$49.78

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 12th day of Mar. 1997



Billie Jeneen Swail
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

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SERVE DISTRICT TO "CS-CO"
COMMERCIAL SERVICES DISTRICT.
CONDITIONAL OVERLAY COMBIN-
ED WITH CITY ZONING AS
SHOWN ON MAP.